



# News Release Communiqué

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## **NEW REPORT MAKES RECOMMENDATIONS ON SUPERVISED CONSUMPTION SERVICES IN CANADA**

*As opioid overdose crisis continues, organizations Canada-wide call on federal government to scale up supervised consumption services, overhaul drug policies*

**TORONTO, February 20, 2019** — In the midst of a growing overdose crisis, more than 75 health and human rights organizations have signed a letter to the federal government calling for a much-needed “class exemption” to protect clients and staff of supervised consumption services (SCS) from prosecution for drug offences when accessing or providing those services. These organizations are also calling for the broader decriminalization of activities related to personal drug use. These recommendations, as well as a review of the current state of SCS and drug policy in Canada, are detailed in a report released today by the Canadian HIV/AIDS Legal Network, *Overdue for a Change: Scaling up Supervised Consumption Services in Canada*.

In 2017, nearly 4,000 people in Canada died of overdose. More than 2,050 overdose-related deaths occurred in just the first six months of 2018. While efforts have been made to facilitate the scale-up of SCS across the country, as one important part of the response, service providers cannot confidently and sustainably offer SCS without a specific exemption from the federal Ministry of Health protecting staff and clients from criminal prosecution. Remaining barriers, including the criminalization and stigmatization of people who use drugs, cost lives each and every day. Unless we see a marked shift in policy, and significant resources dedicated to rapidly scaling up SCS and other harm reduction services, the 2019 body count will be just as grim.

“There have been important and necessary legal reforms, but it is clear that gaps remain,” says Cécile Kazatchkine, senior policy analyst at the Canadian HIV/AIDS Legal Network and co-author of *Overdue for a Change*. “Our research released today lays out where the federal government can — and must — do more. Canada’s current laws on supervised consumption services still create unnecessary and unwarranted barriers to the rapid implementation of this health service, requiring a case-by-case application process that is needlessly burdensome. This public health crisis demands action.”

With the endorsement of organizations across the country, the Legal Network recommends a much simpler legal framework. “Canada should do away with the need for a specific exemption to provide supervised consumption services,” says Kazatchkine. “As long as a service provider meets certain minimum conditions, staff and clients of these life-saving health services should be automatically exempt from the risk of criminal

prosecution. This would make it much easier to expand these services quickly — which is what is needed given the ongoing crisis.”

Importantly, today’s report calls on the federal government to:

- Decriminalize activities related to personal drug use;
- Grant a class exemption to protect clients and staff (including volunteers) at SCS that meet certain basic conditions from prosecution for drug possession or for activities (such as drug sharing or assisted injection) that may amount to trafficking;
- Further streamline the current application process if the Government of Canada continues to insist on maintaining a case-by-case SCS exemption process; and
- Make federal funds available to support SCS, including in provinces and territories where authorities are reluctant to fund these vital services.

“A class exemption for supervised consumption services that automatically protects against prosecution is entirely consistent with the federal government’s harm reduction approach,” says Richard Elliott, executive director at the Canadian HIV/AIDS Legal Network. “The Government of Canada has recognized that these are life-saving services that improve health, are cost-effective, do not increase drug use or crime, and are an entry point to voluntary treatment and social services. Front-line organizations need to get on with saving lives, not jumping through bureaucratic hoops. There is no time to waste.”

The [full report is available](#) on the Legal Network’s website. Copies of an [executive summary](#) and full copy of the [letter sent to the federal Ministers of Health and Justice today](#) by organizations across the country are also available for download.

### **About the Canadian HIV/AIDS Legal Network**

The Canadian HIV/AIDS Legal Network ([www.aidslaw.ca](http://www.aidslaw.ca)) promotes the human rights of people living with, at risk of or affected by HIV or AIDS, in Canada and internationally, through research and analysis, litigation and other advocacy, public education and community mobilization.

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